



A.062F1C1C1

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Schutt et al.
Appl. No. : 09/991,445
Filed : November 16, 2001
For : STABILIZED MICROBUBBLE
COMPOSITIONS
Examiner : S.Sharareh
Group Art Unit : 1617

I hereby certify that this correspondence
and all marked attachments are being
deposited with the United States Postal
Service as first class mail in an envelope
addressed to: Commissioner of Patents
and Trademarks, P. O. Box 1450,
Alexandria, VA 22313-1450, on

7/28/03

Nikki Weaver

Nikki Weaver

RESPONSE TO RESTRICTION REQUIREMENT

RECEIVED

Commissioner for Patents and Trademarks
P. O. Box 1450
Alexandria, VA 22313-1450

AUG 04 2003

TECH CENTER 1600/2900

Dear Sir:

In response to the Official Action dated March 26, 2003, applicants have the following response:

REMARKS

Applicants hereby elect, with traverse, the fluorocarbon gas perfluorobutane and the modifier gas oxygen.

Applicants respectfully traverse the Examiner's restriction requirement and request reconsideration. As stated in the MPEP 803.01, criteria for restriction (which includes election of species) between patentably distinct inventions has two separate requirements:

- 1) the inventions must be independent or distinct as claimed; and,
- 2) there must be a serious burden on the examiner if restriction is required.

Applicants respectfully disagree that the claims, as currently drafted, would in any way be burdensome to search or examine. Applicants point to many other patents on similar technology owned by the assignee which pertain to microbubbles utilizing fluorocarbon gases where claims of similar breath to claim 1 were issued and no restriction/election of species as to the